REMARKS

Claims 1-29 are pending. Claims 1, 2, 12, and 18 have been amended. Support for the replacement of a destination address in an Ethernet header can be found, e.g., at page 7, line 15-18 in combination with page 2, line 21-23.

In the action mailed August 12, 2004, independent claim 1 was rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,330,614 to Aggarwal et al. (hereinafter "Aggarwal").

As amended, claim 1 relates to an apparatus that includes a first component configured to forward data based on a lookup in a routing table and to replace a destination address in an Ethernet header of the data to identify a second component, the second component configured to receive the data, and an intermediate component bridging the first component and the second component to forward the data based on the replaced destination address.

Aggarwal neither describes nor suggests a first component configured to replace a destination address in an Ethernet header of the data to identify a second component. In particular, the MPLS proposal described by Aggarwal appends an MPLS label to the current header of a datagram. This appended MPLS label is used to switch the datagram. See, e.g., col. 7, line 64 – col. 8, line 18 of Aggarwal. Thus, under the MPLS

10

proposal, a device will append an MPLS label to a datagram rather than replace a destination address in an Ethernet header.

U.S. Patent No. 6,249,820 to Dobbins et al. (hereinafter "Dobbins") was cited in rejecting various dependent claims. Dobbins fails to remedy the above-noted deficiencies in Aggarwal. In particular, Dobbins describes the storage of physical addresses in caches or forwarding tables so that destination IP addresses or next hops can be resolved, apparently leaving destination addresses in an Ethernet header of the data unreplaced.

Since neither Aggarwal nor Dobbins describes or suggests a first component configured to replace a destination address in an Ethernet header of the data to identify a second component, it is respectfully submitted that claim 1 is patentable over Aggarwal, alone or in combination with Dobbins. Accordingly, claim 1 and the claims dependent therefrom are allowable.

Claim 12 was rejected under 35 U.S.C. § 102(e) as anticipated by Aggarwal.

As amended, claim 12 relates to a method that includes performing a lookup in a routing table to determine a path to send data from a sender to a receiver, replacing a destination address in an Ethernet header of the data to identify a second component connected to the receiver, and forwarding the data, based on the replaced destination address, through an

11

intermediate component between a first component connected to the sender and the second component.

Aggarwal neither describes nor suggests replacing a destination address in an Ethernet header of the data to identify a second component. Rather, as discussed above, the MPLS proposal described by Aggarwal relies upon appending an MPLS label to the current header of a datagram.

Dobbins fails to remedy this deficiency and instead apparently leaves destination addresses in an Ethernet header of the data unreplaced.

Since neither Aggarwal nor Dobbins describes or suggests replacing a destination address in an Ethernet header of the data to identify a second component, it is respectfully submitted that claim 12 is patentable over Aggarwal, alone or in combination with Dobbins. Accordingly, claim 12 and the claims dependent therefrom are allowable.

Claim 18 was rejected under 35 U.S.C. § 102(e) as anticipated by Aggarwal.

As amended, claim 18 relates to an article that includes a machine-readable medium that stores machine-executable instructions. The instructions cause a machine to perform a look up in a routing table to determine a path to send data from a sender to a receiver, replace a destination address in an Ethernet header of the data to identify a second component

12

connected to the receiver, and forward the data, based on the replaced destination address, through an intermediate component between a first component connected to the sender and the second component.

Aggarwal neither describes nor suggests instructions that cause a machine to replace a destination address in an Ethernet header of the data to identify a second component connected to the receiver. Rather, as discussed above, the MPLS proposal described by Aggarwal relies upon appending an MPLS label to the current header of a datagram. Thus, any instructions embodying the MPLS proposal would presumably cause a machine to append an MPLS label to the current header of a datagram rather than cause a machine to replace a destination address in an Ethernet header, as claimed.

Dobbins fails to remedy this deficiency and instead apparently leaves destination addresses in an Ethernet header of the data unreplaced.
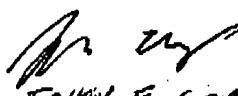
Since neither Aggarwal nor Dobbins describes or suggests instructions that cause a machine to replace a destination address in an Ethernet header of the data to identify a second component connected to the receiver, it is respectfully submitted that claim 18 is patentable over Aggarwal, alone or in combination with Dobbins. Accordingly, claim 18 and the claims dependent therefrom are allowable.

13

Applicant asks that all claims be allowed. No fees are believed due at this time. If this is in error, please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date:___10/12/04___

John F. Conroy, Reg # 45,485

Scott C. Harris
Reg. No. 32,030

Fish & Richardson P.C.
PTO Customer Number: **20985**
4350 La Jolla Village Drive, Suite 500
San Diego, CA 92122
Telephone: (858) 678-5070
Facsimile: (858) 678-5099
10445292.doc

14